

CITY OF KELOWNA

BYLAW NO. 11572

Local Area Service No. 41 (Aspen Road) Parcel Tax Bylaw

WHEREAS the City of Kelowna Council is authorized to impose by bylaw a parcel tax under Section 200 of the *Community Charter* on the benefiting parcels in the Local Area Service for Aspen Road;

AND WHEREAS the Council of the City of Kelowna has, by the Aspen Road Local Area Service Establishment and Loan Authorization Bylaw No. 11275 authorized the construction of local improvements under Part 7 of the *Community Charter* and has provided that a portion of the capital costs of local improvement authorized will be paid by a parcel tax based on area of the parcel levied in twenty (20) annual instalments within the benefiting area created by the bylaw;

AND WHEREAS the Council now is desirous of imposing the parcel tax herein provided;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. In this bylaw:

"Benefiting Area" means the area described in Schedule "A" of "Aspen Road Establishment and Loan Authorization Bylaw No. 11275".

"City" means the City of Kelowna.

"Collector" means the Collector of Taxes for the City.

"Single Family Equivalent or SFE" means the equivalent of a single residential dwelling unit that is not intended to be occupied by more than one family, or buildings or properties of various land use designations or zoning categories that have been calculated to be equivalent to a single residential dwelling unit, as outline in Section 4 of this bylaw.

"Parcel" means any lot, block or other area, in which land is held or into which it is subdivided but does not include highway as per the Community Charter, as amended.

2. Aspen Road Local Area Service Establishment and Loan Authorization Bylaw No. 11275 authorized the construction of local improvements under Part 7 of the *Community Charter*. The real properties immediately benefited by works undertaken as local improvements pursuant to Bylaw No. 11275 are identified as the Aspen Road Local Area Service Tax Assessment Roll.

3. The annual parcel tax levied on each **parcel** under Section 2 of this bylaw, in each of the twenty (20) years, shall be equal to $(A \div B) \times C$, where:

A= the annual payment (which for the initial calculation of this bylaw is \$3,420.00) required to be made in that year for the repayment of principal and interest on the debt authorized by the Aspen Road Local Area Service No. 41 – Bylaw No. 11275.

B= the total number of **Single Family Equivalent** within the **benefiting area** (which for the initial calculation purposes of this bylaw is 6 **SFEs**); and

C= the number of **SFEs** allocated to the **parcel** in accordance with Section 4 of this bylaw.

4. For the purpose of calculation of the number of **SFEs** allocated to a **parcel** under this bylaw, the following shall apply:
 - Single Family Home: 1 home = 1 SFE
5. The parcel tax under section 3 of this bylaw shall be waived in respect of a **parcel**, when any present or previous owner of the **parcel** has paid all debt and debt charges, including interest, in respect of that portion of the water service sytem of the municipality that serves the **parcel**.
6. The Collector for the City of Kelowna shall prepare the parcel tax roll for the purpose of imposing the parcel tax described in this bylaw, and shall include each **parcel** within the **benefiting area**. The parcel tax shall be shown by the Collector on the real property tax notices for the **parcels** and payment of the parcel tax shall be made in the same manner and before the same dates as the real property tax.
7. This bylaw shall come into full force and effect and be binding on all persons for the 2018 taxation year for a period of twenty (20) years up to and including the 2037 taxation year.
8. This bylaw shall be cited as "Local Area Service No. 41 (Aspen Road) Parcel Tax Bylaw No. 11572".

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk